



PTO/SB/21 (09-04)
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10758,856
Filing Date	01/16/2004
First Named Inventor	Berry Green
Art Unit	2843
Examiner Name	not assigned
Attorney Docket Number	64970.01US1

Total Number of Pages in This Submission

4

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD <div>Remarks</div> <p>- Form PTO/SB/08a - return postcard</p>	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Customer No. 34018 - Greenberg Traurig, LLP		
Signature			
Printed name	Gary R. Jarosik		
Date	December 5, 2005	Reg. No.	35,906

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Vivian DelaRosa	Date	December 5, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Green et al.)	
)	
Serial No.:	10/758,856)	Examiner: not assigned
)	
Filed:	01/16/2004)	Group Art Unit: 2643
)	
Title:	SYSTEM AND METHOD FOR FACILITATING COMPLIANCE AND PERSISTENCY WITH A REGIMEN)	Docket No.: 64970.01US1
)	

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b)(3))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, pursuant to 37 C.F.R. §1.56, the items of information listed on the enclosed Form PTO/SB/08a are brought to the attention of the Examiner.

This statement should be considered because it is submitted, pursuant to 37 C.F.R. §1.97(b)(3), before the mailing of a first Office action; therefore, no fee is required.

Pursuant to 37 C.F.R. §1.98(a)(1) the U.S. patents and U.S. patent publication applications cited herein are listed on Form PTO/SB/08A.

Certificate of Mailing: The undersigned hereby certifies that this document and its enclosures are being deposited with the United States Postal Service as first class mail, postage prepaid in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 5th day of December, 2005.

By: _____

Vivian DeLaRosa
Name: Vivian DeLaRosa

U.S. S/N 10/758,856

In accordance with 37 C.F.R. §1.104, no representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§102 and 103 and Applicant reserves the right, pursuant to 37 C.F.R. §1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicant does not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of MPEP 609, it is requested that the Examiner return a copy of the attached Form PTO/SB/08a, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,

Date: December 5, 2005

By: 

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Substitute for form 1449A/PTO		Complete If Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/758,856
		Filing Date	01/16/2004
		First Named Inventor	Bary Green
		Art Unit	2643
		Examiner Name	not assigned
(Use as many sheets as necessary)		Attorney Docket Number	64970.01US1
Sheet	1	of	1

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/J.P./		US- 4,695,954	09/22/1987	Rose et al.	
		US- 4,766,542	08/23/1988	Pilarczyk	
		US- 5,390,238	02/14/1995	Kirk et al.	
		US- 5,950,630	09/14/1999	Portwood et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	1 ⁶
		Country Code ³ Number * Kind Code ⁴ (if known)				

Examiner Signature	/John Pauls/	Date Considered	01/13/2009
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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